IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1214 OF 2006

Yeola Nagar Parishad. ... Petitioner.

V/s.

Shri Gotiram Papa Jawale
and others. ... Respondents.

WITH

WRIT PETITION NO. 1216 OF 2006

Yeola Nagar Parishad. ... Petitioner.

V/s.

Mrs.Reena Suresh Jawal
and others. ... Respondents.

S.S.Kulkarni for the petitioner.

V.P.Vaidya for respondent No.1.

M.H.Solkar, AGP for respondent No.3.

CORAM: V.C.DAGA, J.

DATED: 13th April 2006.

P.C.:

. Heard.

2. Rule, returnable forthwith.

3. Mr.Vaidya waives service for respondent

No.1.

. Respondent No.2 is a formal party. Hence service on respondent No.2 is dispensed with.

. Mr.Solkar, A.G.P. waives service for respondent No.3.

4. These petitions are directed against the common order passed by the Member, Industrial Court, Nashik in Complaint (ULP) Nos.299/2005 and 300/2005, whereby the Industrial Court was pleased to allow prayer for interim relief and stayed operation of termination orders issued to the complainants dated 20th September, 2005.

5. The impugned order of the Industrial Court suffers from complete non-application of mind. No reasons are to be found in the impugned order. The reasons sought to be given by the learned Member of the Industrial Court can hardly be said to be reasons for grant of ad-interim relief.

6. In this view of the matter, both parties agreed that by consent of parties the impugned order be set aside and the matter be remitted back to the Industrial Court for consideration afresh.

7. In the result, impugned order is set aside. The proceedings are remitted back to the

Industrial Court for consideration afresh. The Industrial Court is directed to hear rival parties and pass a reasoned order keeping in mind the principles of natural justice.

8. It is needless to mention that the Industrial Court shall dispose of the application/ prayer for interim relief as expeditiously as possible, at any rate, within four weeks from the date of receipt of copy of this order.

9. In the meanwhile, petitioner undertakes not to release the complainants from service.

10. Both petitions stand disposed of in terms of this order with no order as to costs.

(V.C.DAGA, J.)